

REMARKS

Claims 1-18 and 20-31 are pending in this application. By this Amendment, claims 1-8, 12-14, 16, 17, 20 and 22-26 are amended. The amendments to claim 1 are supported by Applicants' specification at least at, page 15, line 6 – page 16, line 5, and Figures 12 and 13. Claims 2-8, 12-14, 16, 17, 20 and 22-26 are amended to correct informalities. The Drawings are amended. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicants' appreciatively note that claims 3, 6, 14, 16-19, 23 and 28-31 recite allowable features and would be allowed if written in independent form including all the features of the base claim and any intervening claims. Applicants request that this be held in abeyance pending the allowance of claim 1.

The specification was objected to as noted in the Office Action. It is asserted that Figure 10 does not show the gearbox unit 42. In response, Figure 10 has been amended to obviate this objection. Withdrawal of the objection to the specification is respectfully requested.

Claims 1-5 and 22 were objected to as noted in the Office Action. Claims 1-5 and 22 were amended to obviate this objection. Withdrawal of the objection to claims 1-5 and 22 is respectfully requested.

Claims 24 and 25 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. It is asserted that these claims recite "dielectric bodies". Claims 24 and 25 recite "dielectric body". Therefore, claims 24 and 25 are not indefinite.

Accordingly, reconsideration and withdrawal of the rejection of claims 24 and 25 under 35 U.S.C. §112, second paragraph, are respectfully requested.

Claims 1, 2, 4, 5, 7, 8 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,639,699 to Nishikawa et al. (hereinafter "Nishikawa") in view of U.S. Patent No. 6,707,353 to Yamakawa et al. (hereinafter "Yamakawa"). This rejection is respectfully traversed.

In the Office Action it is conceded that Nishikawa does not teach the plurality of dielectric resonant elements including a ring like dielectric resonator element having a

respective eccentric cutout in which a corresponding dielectric tuning element can be rotatably received therein to adjust the resonant frequency of the filter. The Examiner attempts to overcome these deficiencies with Yamakawa.

This rejection fails for the following reasons.

Claim 1 recites, among other features, each corresponding ring-like dielectric resonator element having therein a respective eccentric through-hole, an axis of the respective eccentric through-hole is offset from an axis of the corresponding ring-like dielectric resonator element, and a dielectric body having the same thickness as a thickness of the corresponding ring-like dielectric resonator element, disposed in each respective eccentric through-hole so as to be rotatable about the axis of the respective eccentric through-hole.

Yamakawa, teaches at, *e.g.*, Figures. 35-37, dielectric rods 165 inserted into dielectric material 4. Any holes in the dielectric material 4 of Yamakawa are not through holes. Yamakawa does not teach dielectric rods 165 having the same thickness as dielectric material 4. Therefore, Yamakawa would not have suggested dielectric material 4 having an eccentric through-hole and dielectric rods 165 having the same thickness as a thickness of the dielectric material 4.

For at least the foregoing reasons, the combination of Nishikawa with Yamakawa cannot reasonably be considered to have suggested the combination of all of the features recited in claim 1. Further, the combination of Nishikawa with Yamakawa cannot reasonably be considered to have suggested the combinations of all of the features recited in claims 2, 4, 5, 7, 8 and 20 for at least the dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 2, 4, 5, 7, 8 and 20 under 35 U.S.C. 103(a) as being unpatentable over Nishikawa in view of Yamakawa are respectfully requested.

Claims 9, 12, 13, 15 and 24-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishikawa in view of Yamakawa and further in view of U.S. Patent No. 6,147,577 to Cavey. This rejection is respectfully traversed.

In the Office Action it is conceded that Nishikawa and Yamakawa do not teach a motor mounting plate and wall plates, which separate individual cavities. The Examiner attempts to overcome these deficiencies with Cavey. As argued above, Nishikawa and Yamakawa cannot reasonably be considered to have suggested the combination of all of the features recited in claim 1. Cavey, as applied to claim 1, does not remedy the above-discussed shortfalls of Nishikawa. Therefore, the combination of Nishikawa with Yamakawa and Cavey cannot reasonably be considered to have suggested the combinations of all of the features recited in claims 9, 12, 13, 15 and 24-26 for at least the dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 9, 12, 13, 15 and 24-26 under 35 U.S.C. 103(a) as being unpatentable over Nishikawa in view of Yamakawa and further in view of Cavey are respectfully requested.

Claims 21, 22 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishikawa in view of Yamakawa and further in view of U.S. Patent No. 6,094,113 to Wenzel et al. (hereinafter "Wenzel"). This rejection is respectfully traversed.

In the Office Action it is conceded that Nishikawa and Yamakawa do not teach the filter cavities being arranged in a four square configuration and that the filter housing is formed by sheet metal construction. The Examiner attempts to overcome these deficiencies with Wenzel. As argued above, Nishikawa and Yamakawa cannot reasonably be considered to have suggested the combination of all of the features recited in claim 1. Wenzel, as applied to claim 1, does not remedy the above-discussed shortfalls of Nishikawa. Therefore, the combination of Nishikawa with Yamakawa and Wenzel cannot reasonably be considered to have suggested the combinations of all of the features recited in claims 21, 22 and 27 for at least the dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 21, 22 and 27 under 35 U.S.C. 103(a) as being unpatentable over Nishikawa in view of Yamakawa and further in view of Wenzel are respectfully requested.

Claims 10 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishikawa in view of Yamakawa further in view of Cavey and further in view of Wenzel. This rejection is respectfully traversed.

In the Office Action it is conceded that Nishikawa and Yamakawa do not teach the filter being formed by conductive plates being plugged into one another. The Examiner attempts to overcome these deficiencies with Cavey and Wenzel. As argued above, Nishikawa and Yamakawa cannot reasonably be considered to have suggested the combination of all of the features recited in claim 1. Cavey and Wenzel, as applied to claim 1, do not remedy the above-discussed shortfalls of Nishikawa. Therefore, the combination of Nishikawa with Yamakawa, Cavey and Wenzel cannot reasonably be considered to have suggested the combinations of all of the features recited in claims 10 and 11 for at least the dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 10 and 11 under 35 U.S.C. 103(a) as being unpatentable over Nishikawa in view of Yamakawa further in view of Cavey and further in view of Wenzel are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 4, 5, 7-13, 15, 20-22 and 24-27, in addition to the indicated allowability of claims 3, 6, 14, 16-19, 23 and 28-31, are earnestly solicited.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.


Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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